IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

SUMMARY SUIT NO.1723 OF 2005

Anil Himatlal Shah ....Plaintiff
V/s.
D.B. Katyare ....Defendant

Mr.G.M. Shetty for the Plaintiff.
None for the Defendant.

CORAM : S.J. VAZIFDAR, J.
DATED : 14TH DECEMBER, 2005.

P.C. :

1. The suit is filed to recover the price of the goods sold and delivered by the Plaintiff to the Defendant.

2. The Plaintiff has filed the compilation of the original documents. The same is taken on record and marked Exhibit "A" collectively.

3. The goods were sold on the terms and conditions contained in the suit invoice. The Defendant issued a cheque towards the payment thereof. The same was dishonoured.

4. There is no appearance. There is no written

statement. There is no reply to the Plaintiff's advocate notice demanding payment. There is nothing on record that militates against the Plaintiff's claim. This is a fit case where the averments and the submissions in the plaint ought to be accepted as correct.

5. In the circumstances, the suit is decreed as prayed with costs. However interest after the date of the suit shall be at the rate of 12% p.a.

. Refund as per rules.